

Neb.Rev.St. § 86-301

NEBRASKA REVISED STATUTES OF 1943
CHAPTER 86. TELECOMMUNICATIONS AND TECHNOLOGY
ARTICLE 3. UNIVERSAL SERVICE
(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-301. Act, how cited.

Sections 86-301 to 86-315 shall be known and may be cited as the
Telecommunications Relay System Act.

Source: Laws 1993, LB 305, § 23; R.S.1943, (1999), § 86-1301; Laws 2002, LB 1105, § 179.

<General Materials (GM) - References, Annotations, or Tables>

Neb. Rev. St. § 86-301, NE ST § 86-301

Current through Second Regular Session of the 98th Legislature (2004)

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(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-302. Purpose of act.

The purpose of the Telecommunications Relay System Act is to provide a statewide telecommunications relay system and a statewide voucher program for the provision of specialized telecommunications equipment for qualified deaf, hard of hearing, or speech-impaired persons in Nebraska which enables them to communicate twenty-four hours per day, seven days per week, with other persons who use conventional telephone systems.

Source: Laws 1990, LB 240, § 1; R.S.Supp.,1992, § 86-901; Laws 1993, LB 305, § 24;
Laws 1995, LB 146, § 1; Laws 1997, LB 568, § 1; Laws 1999, LB 359, § 4; R.S.1943, (1999), § 86-1302; Laws 2002, LB 1105, § 180.

<General Materials (GM) - References, Annotations, or Tables>

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(A) TELECOMMUNICATIONS RELAY SYSTEM
§ 86-303. Definitions, where found.

For purposes of the Telecommunications Relay System Act, the definitions found in
sections 86-304 to 86-311 apply.

Source: Laws 1990, LB 240, § 2; R.S.Supp., 1992, § 86-902; Laws 1993, LB 305, § 25;
Laws 1995, LB 146, § 2; Laws 1999, LB 359, § 5; R.S.1943, (1999), § 86-1303; Laws
2002, LB 1105, § 181.

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(A) TELECOMMUNICATIONS RELAY SYSTEM
§ 86-304. Commission, defined.

Commission means the Public Service Commission.

Source: Laws 2002, LB 1105, § 182.

<General Materials (GM) - References, Annotations, or Tables>

Neb. Rev. St. § 86-304, NE ST § 86-304

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§ 86-305. Deaf, defined.

Deaf has the same meaning as in section 71-4720.01.

Source: Laws 2002, LB 1105, § 183.

<General Materials (GM) - References, Annotations, or Tables>

Neb. Rev. St. § 86-305, NE ST § 86-305

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(A) TELECOMMUNICATIONS RELAY SYSTEM
§ 86-306. Fund, defined.

Fund means the Nebraska Telecommunications **Relay** System Fund.

Source: Laws 2002, LB 1105, § 184.

<General Materials (GM) - References, Annotations, or Tables>

Neb. Rev. St. § 86-306, NE ST § 86-306

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(A) TELECOMMUNICATIONS RELAY SYSTEM
§ 86-307. Hard of hearing, defined.

Hard of hearing has the same meaning as in section 71-4720.01.

Source: Laws 2002, LB 1105, § 185.

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(A) TELECOMMUNICATIONS RELAY SYSTEM
§ 86-308. Household, defined.

Household means a family unit whose members are related by birth, marriage, or
adoption and who share a common living arrangement.

Source: Laws 2002, LB 1105, § 186.

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(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-309. Personal telephone service, defined.

Personal telephone service means telephone service located in an individual's room and the telephone service account is in the individual's name.

Source: Laws 2002, LB 1105, § 187.

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Neb. Rev. St. § 86-309, NE ST § 86-309

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(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-310. Specialized telecommunications equipment, defined.

Specialized telecommunications equipment means any telecommunications device enabling deaf, hard of hearing, or speech-impaired persons to communicate using conventional telephone systems. Specialized telecommunications equipment includes, but is not limited to, telecommunications devices for the deaf, signaling devices, and amplification devices.

Source: Laws 2002, LB 1105, § 188.

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(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-311. Telecommunications relay system, defined.

Telecommunications **relay** system means a service permitting full and simultaneous communication between deaf, hard of hearing, or speech-impaired persons using specialized telecommunications equipment and other persons using conventional telephone equipment.

Source: Laws 2002, LB 1105, § 189.

<General Materials (GM) - References, Annotations, or Tables>

Neb. Rev. St. § 86-311, NE ST § 86-311

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ARTICLE 3. UNIVERSAL SERVICE

(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-312. Nebraska Telecommunications Relay System Fund; created; use; investment.

(1) The Nebraska Telecommunications **Relay** System Fund is created. The fund shall be used to provide a statewide telecommunications **relay** system and to administer a statewide voucher program to provide specialized telecommunications equipment to qualified deaf, hard of hearing, and speech-impaired persons in Nebraska.

(2) Based upon the price of the equipment, vouchers shall be issued by the program administrator to pay private vendors for all or part of the cost of the equipment. After purchase, the recipient is the owner of the equipment and responsible for enforcement of any warranties and repairs.

(3) Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Source: Laws 1990, LB 240, § 3; R.S.Supp., 1992, § 86-903; Laws 1993, LB 305, § 26; Laws 1994, LB 1066, § 141; Laws 1995, LB 146, § 3; Laws 1997, LB 568, § 2; Laws 1999, LB 359, § 6; R.S. 1943, (1999), § 86-1304; Laws 2002, LB 1105, § 190.

<General Materials (GM) - References, Annotations, or Tables>

CROSS REFERENCES

Nebraska Capital Expansion Act,--see section 72-1269.
Nebraska State Funds Investment Act,--see section 72-1260.

Neb. Rev. St. § 86-312, NE ST § 86-312

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ARTICLE 3. UNIVERSAL SERVICE

(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-313. Surcharge; amount; hearing; commission; powers and duties.

(1)(a) Each telephone company in Nebraska shall collect from each of the telephone subscribers a surcharge not to exceed twenty cents per month on each telephone access line in Nebraska, including cellular telephone service. The surcharge shall only be collected on the first one hundred telephone access lines per subscriber. The companies shall add the surcharge to each subscriber's local telephone bill.

(b) The telephone companies are not liable for any surcharge not paid by a subscriber and are not obligated to take legal action to collect the surcharge.

(2) Before April 1 of each year, the commission shall hold a public hearing to determine the amount of surcharge necessary to carry out the Telecommunications Relay System Act. After the hearing, the commission shall set the surcharge at the level necessary to fund the statewide telecommunications relay system and the specialized telecommunications equipment program for the following year plus a reasonable reserve. The surcharge shall become effective on July 1 following the change. The amount appropriated for the specialized telecommunications equipment program from the fund shall not exceed the revenue generated by one cent of the surcharge per month.

(3) In an emergency the commission may adjust the amount of the surcharge to become effective before such date but only after a public hearing for such purpose.

(4) The proceeds from the surcharge shall be remitted to the commission monthly no later than thirty days after the end of the month in which they were collected together with forms provided by the commission. The commission shall remit the funds to the State Treasurer for credit to the fund.

(5) The commission may require an audit of any telephone company collecting the surcharge pursuant to the act.

Source: Laws 1990, LB 240, § 4; R.S.Supp., 1992, § 86-904; Laws 1993, LB 305, § 27;

Laws 1995, LB 146, § 4; R.S.1943, (1999), § 86- 1305; Laws 2002, LB 1105, § 191; Laws 2003, LB 187, § 28. Operative date August 31, 2003.

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(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-314. Telecommunications relay system; specialized telecommunications equipment program; requirements; rules and regulations; administrative fine.

(1) The commission shall establish standards, procedures, and training specifications for the telecommunications **relay** system and shall supervise its operation. The telecommunications **relay** system shall assure prompt and accurate **relay** of all messages seven days per week, twenty-four hours per day, including holidays, to all deaf, hard of hearing, or speech-impaired persons living in Nebraska who possess specialized telecommunications equipment. Any person using the telecommunications **relay** system shall not be charged for access to such system other than charges billed for instate and out-of-state long-distance telephone service. The telecommunications **relay** system shall at least provide the following telephone services: (a) Statewide instate calls with charges for long-distance calls billed to the person making the call in a manner which the commission determines will recover the cost of long-distance calls to the system; (b) out-of-state calls with charges billed to the person making the call; and (c) emergency calls.

(2) The commission shall establish standards and criteria and shall determine the eligibility of qualified deaf, hard of hearing, and speech-impaired persons applying for specialized telecommunications equipment. The eligible standards and criteria shall include the following: (a) Only one person per household may be a recipient of the telecommunications equipment; (b) an applicant shall reside in a household that has telephone service; (c) a recipient of equipment may not reapply for assistance more than once every five years; and (d) a nursing home or institution resident is eligible for specialized telecommunications equipment only if he or she has personal telephone service.

(3) The commission may approve applications for specialized telecommunications equipment if they meet the guidelines established by the commission.

(4) The commission shall adopt and promulgate rules and regulations necessary for implementation of the Telecommunications **Relay** System Act and guidelines for the specialized telecommunications equipment program. The commission may enter into contracts with other agencies or private organizations, which may include the Commission for the Deaf and Hard of Hearing, to operate the telecommunications **relay** system and the specialized telecommunications equipment program.

(5) The Public Service Commission may administratively fine pursuant to section 75-156 any person who violates the act.

Source: Laws 1990, LB 240, § 5; R.S.Supp., 1992, § 86-905; Laws 1993, LB 305, § 28; Laws 1995, LB 146, § 5; Laws 1997, LB 851, § 27; Laws 1999, LB 359, § 7; Laws 2000, LB 1285, § 22; R.S.Supp., 2000, § 86-1306; Laws 2002, LB 1105, § 192.

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(A) TELECOMMUNICATIONS RELAY SYSTEM

§ 86-315. Special committee; membership.

The commission shall administer the Telecommunications **Relay** System Act with the advice of a special committee appointed by the Commission for the Deaf and Hard of Hearing. The special committee shall consist of seven members as follows: One member shall be a deaf person; one member shall be a deaf or hard of hearing person; one member shall be a speech-impaired person; one member shall represent the Public Service Commission; one member shall represent the telephone industry; one member shall represent the Commission for the Deaf and Hard of Hearing; and one member shall represent the public.

Source: Laws 1990, LB 240, § 6; R.S.Supp., 1992, § 86-906; Laws 1993, LB 305, § 29; Laws 1997, LB 851, § 28; Laws 1999, LB 359, § 8; R.S.1943, (1999), § 86-1307; Laws 2002, LB 1105, § 193.

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